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Attorneys for Defendant, Noel Fortun d/b/a Fortun Trucking Services, Inc. and SCS Logistics, LLC
d/b/a Avalanche Express i/p/a Noel Fortun, Fortun Trucking Services, Inc., Avalanche Express,
Avalanche Transport Corp., and SCS Logistics, LLC

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

MAURICE GREGOIRE and CATHERINE
GREGOIRE, his wife,

Plaintiffs,

vs.

NOEL FORTUN, FORTUN TRUCKING
SERVICES, INC., AVALANCHE EXPRESS,
AVALANCHE TRANSPORT CORP.,
SCS LOGISTICS, LLC, SCS LOGISTICS,
LLC, dba AVALANCHE EXPRESS, TUMI
TRANSPORTATION, John Does 1-10,
ABC Corporation, and XYZ Partnership,
And fictitiously named defendants,

Defendants.

CASE NO.

NOTICE OF REMOVAL OF ACTION
UNDER 28 U.S.C. 1441(b)
(DIVERSITY JURISDICTION)

NOTICE OF REMOVAL

TO THE CLERK OF THE ABOVE ENTITLED COURT:

PLEASE TAKE NOTICE that defendants Noel Fortun d/b/a Fortun Trucking Services, Inc. and SCS Logistics, LLC d/b/a Avalanche Express i/p/a Noel Fortun, Fortun Trucking Services, Inc., Avalanche Express, Avalanche Transport Corp., and SCS Logistics, LLC hereby remove to this Court the state court action described below.

1. On or about July 10, 2017, an action was commenced by Plaintiff in the Superior Court of New Jersey, Camden County, entitled Gregoire, Maurice v. Noel Fortun, et al., identified as CAM-L-2760-17. A copy of the Complaint is attached hereto at **Exhibit A**.

2. Defendant Noel Fortun d/b/a Fortun Trucking Services, Inc. has not been served with a copy of the summons or complaint. Moving defendant SCS Logistics, LLC d/b/a Avalanche Express was served with a copy of the summons and complaint on October 19, 2017. A copy of the summons dated October 16, 2017 is attached hereto at **Exhibit B**.

3. Pursuant to 28 U.S.C. §1446(b), this notice has been timely filed. A copy of proof of service has not yet been provided to this office by plaintiff, but SCS Logistics, LLC d/b/a Avalanche Express has advised it was served with a copy of the summons and complaint on October 19, 2017.

4. This action is a civil action of which this Court has original jurisdiction under 28 U.S.C. § 1331, and is one which may be removed to this Court by defendant pursuant to the provisions of 28 U.S.C. § 1441(b) in that plaintiff is a resident of the State of New Jersey and defendants Noel Fortun d/b/a Fortun Trucking Services, Inc. and SCS Logistics, LLC d/b/a Avalanche Express i/p/a Noel Fortun, Fortun Trucking Services, Inc., Avalanche Express, Avalanche Transport Corp., and SCS Logistics, LLC reside or have their principal place of business located in the State of Florida.

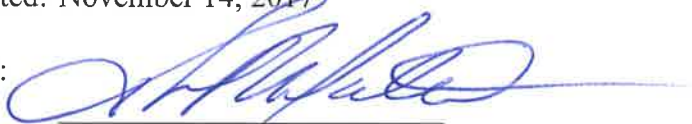
5. This defendant is unfamiliar with the other named defendant, Tumi Transportation, but its search of various databases does not reveal a business named Tumi Transportation or a similar variation of Tumi Transport in the State of New Jersey. Further, Tumi Transport is not identified in the Police Report regarding the motor vehicle accident which is the alleged cause of plaintiff's alleged personal injuries.

6. On information and belief, no other co-defendant, including Tumi Transportation, has been served with the summons and complaint, and that on further information and belief, any other co-defendant would consent to removal.

WHEREFORE, defendants Noel Fortun d/b/a Fortun Trucking Services, Inc. and SCS Logistics, LLC d/b/a Avalanche Express i/p/a Noel Fortun, Fortun Trucking Services, Inc., Avalanche Express, Avalanche Transport Corp., and SCS Logistics, LLC prays that this action be removed to the United States District Court for the District of New Jersey.

Dated: November 14, 2017

By:



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